

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

No claims are requested to be cancelled.

No claims are currently being amended.

No claims are being added.

This amendment does not add, change and/or delete claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 10-24 remain pending in this application.

On pages 2-3 of the Office Action, the Examiner rejected claims 10 and 18 as being obvious over U.S. Patent No. 6,988,026 titled “Wireless and Powerless Sensor and Interrogator” to Breed et al. (“Reference 1”) in view of U.S. Patent No. 5,095,744 titled “Ultrasonic Tire Testing Method and Apparatus” to Macecek (“Reference 2”) under 35 U.S.C. § 103(a). The Examiner stated that:

[Reference 1] shows [the] claim concept in column 13, lines 61-65, column 76, lines 11-28, and using pattern recognition technology.

The Examiner concluded that the combination of Reference 1 and Reference 2 determines “the position of a tire on a vehicle using a periodically transmitted signal, or using signal pulses and predetermined signal patterns . . .”

Claims 10 and 18 are each in independent form. Claims 10 and 18 each recite “A system for determining the position of a tire on a vehicle using a periodically transmitted signal” comprising, in combination with other elements, “memory configured to store a plurality of

predetermined signal patterns, each predetermined signal pattern associated with a unique tire position on the vehicle . . . .” Claims 11-17 depend from claim 10 and claims 19-24 depend from claim 18.

The “system for determining the position of a tire on a vehicle using a periodically transmitted signal” as recited in independent claims 10 and 18 would not have been obvious in view of Reference 1 alone or in any proper combination with Reference 2 under 35 U.S.C. § 103. Reference 1, alone or in any proper combination with Reference 2, simply does not teach or suggest “a memory configured to store a plurality of predetermined signal patterns, each predetermined signal pattern associated with a unique tire position on the vehicle . . . .” See claims 10 and 18.

Reference 1 does not describe a memory for storing signal patterns associated with positions on the vehicle. Col. 13, lines 61-65 cited by the Examiner in Reference 1 does not relate to signal patterns related to individual tire positions but rather tire pressures which must be measured and known and then assigned to a position on the vehicle. Assigned tire pressures are not predetermined signal patterns associated with a unique tire position on the vehicle. Col. 76, lines 11-28 cited by the Examiner in Reference 1 discloses sensors signals related to angular positions of the tire and is not related positions of the tire on the vehicle. This is a completely different type of position that is measured. Reference 2 fails from a similar deficiency and is related to providing test instrumentation. Claim 20 cited by the Examiner in Reference 2 is not at all related to identifying a position of a tire on the vehicle but is related to identifying locations on the circumference of the tire which may be defective.

To transform the wireless and powerless sensor and interrogator of Reference 1 and the ultrasonic tire testing method and apparatus Reference 2 into the system for determining the position of a tire on a vehicle using the periodically transmitted signal would require further modification and such modifications are only taught by the Applicants’ own disclosure. The suggestion to make the combination of Reference 1 and Reference 2 has been taken from Applicants’ own specification using hindsight, which is improper. Therefore, the rejection of

claims 10 and 18 under 25 U.S.C. § 103(a) is improper over Reference 1 and Reference 2. The Applicants respectfully request withdrawal of the rejection of claims 10 and 18 under 35 U.S.C. § 103(a).

Dependent claims 11-17 and 18-24 are also patentable. See 35 U.S.C. § 112, paragraph 4.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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